

DATE 6/5/2020
LOCATION Sherman
JUDGE Nowak
DEPUTY CLERK K. Lee
COURT REPORTER: Digital Recording
INTERPRETER: Not Required
BEGIN 10:30 a.m./11:03 a.m.

CASE NUMBER 4:20CR107-1 ALM/CAN
USA VS Maurcen Smith Assigned
ANITA MOODY Appeared
Defendant
John Ginn
Attorney

☒ PLEA TO INFORMATION, Initial Appearance and Arraignment held

☐ INITIAL APPEARANCE AND PLEA TO INFORMATION

☒ WAIVER OF INDICTMENT SIGNED

☒ CASE CALLED

☒ DEFENDANT SWORN

☐ Hearing held by Interpreter: _____

☒ Defendant appears with counsel John Ginn

☐ Arrest date: _____

INITIAL APPEARANCE

☒ Dft ☒ advised of charges

☒ advised of maximum penalties

☒ advised of right to remain silent;

☒ advised of right to counsel

☒ received copy of information

PLEA TO INFORMATION

☒ Defendant to plea guilty to Count (s) One and Two of the Information.

☒ Defendant signed Waiver and Consent to Administration of Guilty Plea by United States Magistrate Judge.

☒ Dft signed Waiver of Indictment.

☐ Dft signed Waiver of Venue

☐ Dft signed Waiver of Statute of Limitations

☒ Court found defendant competent for change of plea hearing.

☒ Defendant advised of Constitutional rights.

☒ Defendant acknowledged understanding Constitutional rights.

☒ AUSA stated essential elements to be proven

☒ Defendant acknowledged understanding the essential elements and Defendant acknowledged having committed the elements.

☐ Court ☒ AUSA stated maximum range of penalty.

☒ Defendant acknowledged satisfaction with representation of counsel

☒ Court reviewed rights regarding a plea of guilty and right to appeal.

☒ Reviewed Plea agreement with defendant.

☒ Reviewed ☒ Factual Basis ☐ Statement of Facts with defendant.

☒ AUSA and Defendant acknowledged factual basis has been established.

☒ Consent, Waiver of Indictment, Plea Agreement (under seal), Factual Basis, and Addendum (under seal) entered into the record.

☐ Defendant is not a citizen of the United States ☐ Defendant is not a legal permanent resident.

☐ Court advised defendant of deportation possibilities. ☐ Defendant acknowledged understanding deportation possibility.

☒ Forfeiture provision explained to Defendant ☒ Defendant acknowledged understanding forfeiture provision.

☐ Court advised defendant of requirement to register as sex offender. ☐ Defendant acknowledged understanding registration requirement.

☒ Defendant entered plea of guilty to Counts One and Two of the Information.

☒ Court will recommend district court accept plea of guilty.

☒ Court finds plea is voluntary, knowledgeable and that it has a basis in fact.

☐ Defendant remanded to custody of U.S. Marshal.

☒ Defendant placed on Conditions of Release.

☒ Dft admonished re: failure to comply w/conditions.

☐ Defendant to remain on Conditions of Release based on extraordinary circumstances per the AUSA.

☒ Order Setting Conditions of Release entered.